

REMARKS:

Favorable reconsideration of this application is respectfully requested.

Claims 10-17 were objected to because they were misnumbered. Claims 16-17 are canceled, and claims 10-15 are renumbered above as claims 9-14.

Claim 1 was objected to because the word "wat r" needed to be changed to -- water --, and renumbered claim 15 was objected to because the words "thr e clos d" needed to be changed to -- three closed --. The below signed has reviewed these claims as they appear in a photocopy of the application as filed, and notes that these defects are not present in the submitted version. The missing letters must have been a result of the new scanning procedure within the Patent Office. Since the claims as filed did not contain these errors, no amendments are made above to correct them. Should the examiner find it appropriate to make such amendments in light of this, however, applicant is certainly prepared to comply.

Claims 1, 2, 6 and 8 were rejected under 35 U.S.C. section 102(b) as being anticipated by Day (US 5,014,639). Claim 13 was rejected under 35 U.S.C. section 103(a) as being unpatentable over Day in view of Nanami (US 5,618,213).

SUBJECT MATTER FOUND ALLOWABLE:

Claims 3-5, 7, 9-12 and 14 were objected to as being dependent upon a rejected base claim, but found to be allowable if rewritten in independent form including all of the limitations of

the base claim and any intervening claims. Some of these claims are rewritten to be thus independent, while the dependency of other claims are changed to depend from one of these rewritten independent claims. Therefore claims 3-14 as renumbered and amended are believed to be allowable.

In view of the foregoing considerations, it is respectfully urged that each of claims 3-14 should be allowed. Such action is respectfully requested.

A combined check for added claim fees and an extension is enclosed.

If there are any reservations about allowing these claims, a telephone interview is respectfully requested.

Respectfully submitted,


Frank L. Kubler

13261 S.W. 54th Court
Miramar, Florida 33027

Telephone: (305) 829-1869

CERTIFICATE OF MAILING

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the 22nd day of September, 2004.

Signed: _____

Frank L. Kubler
Reg. No. 32,738

13261 S.W. 54th Court
Miramar, Florida 33027

Telephone: (305) 829-1869

Applicant: David Perko
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For: BUOYANT TUBE SHIP
Examiner: L.A. Olson

Group: 3617